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5 Attorneys for Defendants  
AMTECK OF KENTUCKY, INC. and THE HASKELL COMPANY

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7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

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11 REYNALDO SALINAS, et al., ) CASE NO. C 08-01463 PJH  
12 Plaintiffs, ) C 08-04939 PJH  
13 vs. )  
14 AMTECK OF KENTUCKY, et al., ) STIPULATION OF COUNSEL  
15 Defendants. ) RE: CONSOLIDATION OF  
CASES; ORDER  
16 \_\_\_\_\_ )  
17 GERARDO SALINAS, et al., )  
18 Plaintiffs, )  
19 vs. )  
20 AMTECK OF TEXAS, et al., )  
21 Defendants. )  
22 \_\_\_\_\_ )

23 STIPULATION RE: CONSOLIDATION OF CASES; ORDER ON STIPULATION

24 The cases Reynaldo Salinas, et al. v. Amteck of Kentucky, et al., Case No. C 08-01463  
PJH, and Gerardo Salinas, et al. v. Amteck of Texas, et al., Case No. C 08-04939 PJH arise  
25  
26 out of a single construction site accident which occurred on 6/16/06. The complaints in both

1 actions both pertain to the same accident; Case No. C 08-01463 PJH is a personal injury and  
2 wrongful death action resulting from the 6/16/06 accident while Case No. C 08-04939 PJH is  
3 a wrongful death action arising out of said accident. Pursuant to Local Rule 3-12, the cases  
4 have already been determined related cases pursuant to the Court's order dated January 8, 2009.

5 In the interests of justice and judicial economy, the parties hereby stipulate, pursuant to  
6 F.R.C.P. 42 and the authority of Devlin v. Transporation Communications Int'l. Union (2<sup>nd</sup> Cir.  
7 1999) 175 F.3d 121, 130 and In re: Air Crash Disaster at Florida Everglades on December 29,  
8 1972 (5<sup>th</sup> Cir. 1977) 549 F.2d 1006, 1013 to consolidate the above referenced cases for all  
9 purposes, including trial. The case Reynaldo Salinas, et al. v. Amteck of Kentucky, et al., Case  
10 No. C 08-01463 PJH, shall be designated as the lead case. The consolidated case number shall  
11 be Case No. C 08-01463 PJH.

12

13 DATED: March 11, 2009

DIEPENBROCK & COTTER, LLP

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By:

  
JOHN P. COTTER  
Attorneys for Defendants  
AMTECK OF KENTUCKY, INC. and THE  
HASKELL COMPANY

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DATED: March 11, 2009

DRYDEN, MARGOLES, SCHIMANECK & WERTZ

By:

  
FRANK SCHIMANECK  
DAN MAGUIRE  
SUSAN FOE  
Attorneys for Defendant  
SNORKEL INTERNATIONAL, INC.

1 DATED: March \_\_\_, 2009

FARRAR & BALL

Wesley Todd Ball

2 By:

3 WESLEY TODD BALL

4 Attorneys for Plaintiffs

5 REYNALDO SALINAS, JESSICA  
SALINAS, and ISABEL SALINAS

6

7

8

9 DATED: March 11, 2009

THE GARCIA-WILLIAMS LAW FIRM

10 By:

11 David K. Williams

12 DAVID K. WILLIAMS

13 Attorneys for Plaintiffs

14 GERARDO and ALEJANDRA SALINAS

## ORDER

2 Based on the stipulation of the parties and good cause appearing, IT IS HEREBY  
3 ORDERED that the cases Reynaldo Salinas, et al. v. Amteck of Kentucky, et al., Case No.  
4 C 08-01463 PJH, and Gerardo Salinas, et al. v. Amteck of Texas, et al., Case No. C 08-04939  
5 PJH are consolidated for all purposes, including trial. The case Reynaldo Salinas, et al. v.  
6 Amteck of Kentucky, et al., Case No. C 08-01463 PJH, shall be designated as the lead case.  
7 The consolidated case number shall be Case No. C 08-01463 PJH.

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9 DATED: 3/20/09

PHYLLIS J. HAMILTON  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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IT IS SO ORDERED  
  
Judge Phyllis J. Hamilton

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